

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names,

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled EMBOLIC PROTECTION DEVICES, the specification of which (check one)

\_\_\_ is attached hereto

X was filed on December 30, 1999

Application Serial No. 09/476,159

and was amended on (or amended through \_\_\_\_\_)

(if applicable)

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Address all correspondence to:

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10877 Wilshire Boulevard  
Tenth Floor  
Los Angeles, California 90024

Full name of first inventor: William J. Boyle

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 2000

Residence: Fallbrook, California

Citizenship: USA

Post Office Address: 3119 Cherrypoint Court, Fallbrook, California 92028

Full name of second inventor: David H. Burkett

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Date: \_\_\_\_\_, 2000

Residence: San Diego, California

Citizenship: USA

Post Office Address: 14188 Classique Way, San Diego, California 92129

Full name of third inventor: Andy E. Denison

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 2000

Residence: Temecula, California

Citizenship: USA

Post Office Address: 42200 Margarita Road, #1311, Temecula, California 92592

Full name of fourth inventor: Benjamin C. Huter

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: Murrieta, California

Citizenship: USA

Post Office Address: 24375 Jackson Avenue, Apt. I-307, Murrieta, California 92562

Full name of fifth inventor: Scott J. Huter

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Post Office Address: 43390 Corta Almeria, Temecula, California 92592

Full name of sixth inventor: Arkady Kokish

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: San Jose, California

Citizenship: USA

Post Office Address: 1522 Daphne Drive, San Jose, California 95129

Full name of seventh inventor: Kent C.B. Stalker

Inventor's signature: Kent C.B. Stalker

Date: 3/20, 2000

Residence: San Marcos, California

Citizenship: USA

Post Office Address: 702 Pascali Court, San Marcos, California 92069

Full name of eighth inventor: Chicheng Wang

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: Sunnyvale, California

Citizenship: China

Post Office Address: 655 South Fair Oaks Avenue, H101, Sunnyvale, California 94086

Full name of ninth inventor: John D. Whitfield

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Citizenship: USA

Post Office Address: 702 Pascali Court, San Marcos, California 92069

Full name of eighth inventor: Chicheng Wang

Inventor's signature: 

Date: March 14<sup>th</sup>, <sup>2000</sup>~~1999~~

Residence: Sunnyvale, California

Citizenship: China

Post Office Address: 655 South Fair Oaks Avenue, H101, Sunnyvale, California 94086

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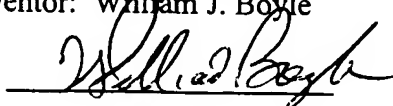
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Date: 3-10-00, 1999 *3-10-00*

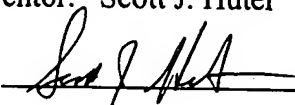
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Inventor's signature: 

Date: MAR 10, 1999

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Full name of ninth inventor: John D. Whitfield

Inventor's signature:  \_\_\_\_\_

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Inventor's signature: David H. Burkett

Date: 3/22, 2000

Residence: ~~San Diego, California~~ Temecula, CA

Citizenship: USA

Post Office Address: 31020 Via Norte Rd. Temecula, CA 92591  
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Post Office Address: 655 South Fair Oaks Avenue, H101, Sunnyvale, California 94086

Full name of ninth inventor: John D. Whitfield

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1999

Residence: Temecula, California

Citizenship: USA

Post Office Address: 39395 Camino Sierra Road, Temecula, California 92592



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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AUGUST 02, 2000

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THOAMS H. MAJCHER  
10877 WILSHIRE BOULEVARD  
CENTER WEST BUILDING, TENTH FLOOR  
LOS ANGELES, CA 90024



\*101378560A\*

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**AUG 18 2000**

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/19/2000

REEL/FRAME: 010835/0835

NUMBER OF PAGES: 16

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BOYLE, WILLIAM J.

DOC DATE: 05/15/2000

ASSIGNOR:

BURKETT, DAVID H.

DOC DATE: 05/15/2000

ASSIGNOR:

DENISON, ANDY E.

DOC DATE: 05/15/2000

ASSIGNOR:

HUTER, BENJAMIN C.

DOC DATE: 05/15/2000

ASSIGNOR:

HUTER SCOTT J.

DOC DATE: 05/15/2000

ASSIGNOR:

KOKISH, ARKADY

DOC DATE: 05/15/2000

ASSIGNOR:

STALKER, KENT C.B.

DOC DATE: 05/15/2000

010835/0835 PAGE 2

ASSIGNOR:  
WANG, CHICHENG

DOC DATE: 05/15/2000

ASSIGNOR:  
WHITFIELD, JOHN D.

DOC DATE: 05/15/2000

ASSIGNEE:  
ADVANCED CARDIOVASCULAR SYSTEMS,  
INC.  
3200 LAKESIDE DRIVE  
SANTA CLARA, CALIFORNIA 95054-2807

SERIAL NUMBER: 09476159  
PATENT NUMBER:

FILING DATE: 12/30/1999  
ISSUE DATE:

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



FORM PTO-1595  
1-31-92

174164.1 (ACS-52001)

MAY 19 2000

06-12-2000



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patent:

101378560

and original documents or copy thereof.

1. Name of conveying party(ies): William J. Boyle; David H. Burkett; Andy E. Denison; Benjamin C. Huter; Scott J. Huter; Arkady Kokish; Kent C.B. Stalker; Chicheng Wang; John D. Whitfield

Additional name(s) of conveying party(ies) attached? NO

3. Nature of Conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement ☐ Change of Name

☐ Other

Execution Date: May 15, 2000

2. Name and address of receiving party(ies):

Name: Advanced Cardiovascular Systems, Inc.

Internal Address:

Street Address: 3200 Lakeside Drive

City Santa Clara State CA ZIP 95054-2807

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 09/476,159

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: FULWIDER PATTON LEE & UTECHT, LLP

Internal Address: Center West Building, Tenth Floor

Street Address: 10877 Wilshire Boulevard

City: Los Angeles State: CA Zip: 90024

6. Total number of applications and patents involved: One (1)

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed

☒ Any deficiency/overpayment is authorized to be charged to deposit account

8. Deposit account number: 06-2425

06/09/2000 ASCOTT 00000088 09476159

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

THOMAS H. MAJCHER

Name of Person Signing

Signature

May 16, 2000

Date

Total number of pages including cover sheet, attachments and document: Sixteen

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Applicati n Number	09/476,159
	Filing Date	December 30, 1999
	First Named Inventor	William J. Boyle
	Group Art Unit	3762
	Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number	ACS-52001 (17381)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (15) <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcards (2)
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	Enclosed: Recordation Form Cover Sheet
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thomas H. Majcher, Registration No. 31,119
Signature	
Date	May 16, 2000

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 5-16-2000			
Typed or printed name	Thomas H. Majcher		
Signature		Date	May 16, 2000

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ASSIGNMENT

This Assignment made by William J. Boyle of Fallbrook, California, David H. Burkett of San Diego, California, Andy E. Denison of Temecula, California, Benjamin C. Huter of Murrieta, California, Scott J. Huter of Temecula, California, Arkady Kokish of San Jose, California, Kent C. B. Stalker of San Marcos, California, Chicheng Wang of Sunnyvale, California, and John D. Whitfield of Temecula, California, Assignors, to ADVANCED CARDIOVASCULAR SYSTEMS, INC., a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95054-8167.

WHEREAS, Assignors have invented a new and useful **EMBOLIC PROTECTION DEVICES**, for which an application for United States Letters Patent was filed on December 30, 1999 as Serial No. 09/476,159; and

WHEREAS, Assignors believe themselves to be the original, first and joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters

Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, them and their legal representative(s) and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the date  
written herein below.

Date: 3/10, 2000

Assignors:

William J. Boyle  
William J. Boyle

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
David H. Burkett

Date: 3-13, 2000

Andy E. Denison  
Andy E. Denison

Date: 3-10, 2000

Benjamin C. Huter  
Benjamin C. Huter

Date: MAR 10, 2000

Scott J. Huter  
Scott J. Huter

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Arkady Kokish

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Kent C. B. Stalker

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Chicheng Wang

Date: 3/10, 2000

John D. Whitfield  
John D. Whitfield

ASSIGNMENT

This Assignment made by William J. Boyle of Fallbrook, California, David H. Burkett of ~~San Diego~~<sup>Temecula</sup>, California, Andy E. Denison of Temecula, California, Benjamin C. Huter of Murrieta, California, Scott J. Huter of Temecula, California, Arkady Kokish of San Jose, California, Kent C. B. Stalker of San Marcos, California, Chicheng Wang of Sunnyvale, California, and John D. Whitfield of Temecula, California, Assignors, to ADVANCED CARDIOVASCULAR SYSTEMS, INC., a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95054-8167.

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WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

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IN WITNESS WHEREOF, Assignors have executed this Assignment on the date  
written herein below.

Assignors:

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
William J. Boyle

Date: 3/22, 2000

David H. Burkett  
David H. Burkett

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Andy E. Denison

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Benjamin C. Huter

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Scott J. Huter

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Arkady Kokish

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Kent C. B. Stalker

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Chicheng Wang

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
John D. Whitfield



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written herein below.

Assignors:

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
William J. Boyle

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
David H. Burkett

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Andy E. Denison

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Benjamin C. Huter

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Scott J. Huter

Date: 3 14, 2000

  
\_\_\_\_\_  
Arkady Kokish

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Kent C. B. Stalker

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Chicheng Wang

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
John D. Whitfield

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IN WITNESS WHEREOF, Assignors have executed this Assignment on the date  
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Assignors:

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
William J. Boyle

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
David H. Burkett

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
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Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Benjamin C. Huter

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Scott J. Huter

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Arkady Kokish

Date: May 15, 2000

Kent C. B. Stalker  
Kent C. B. Stalker

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Chicheng Wang

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
John D. Whitfield

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Date: \_\_\_\_\_, 2000

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William J. Boyle

Date: \_\_\_\_\_, 2000

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Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Arkady Kokish

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
Kent C. B. Stalker

Date: March 14<sup>th</sup>, 2000

  
\_\_\_\_\_  
Chicheng Wang

Date: \_\_\_\_\_, 2000

\_\_\_\_\_  
John D. Whitfield